IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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MONDAY, THE SEVENTEENTH DAY OF APRIL

TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WP.No.1401 OF 2006

Between:

Sardar Vallabhai Patel Market Vartaka Sangham,

Represented by its President,

SriDadi Ramakrishna & Ors. … Petitioners

Versus

The Municipal Corporation of Visakhapatnam,

Represented by its Commissioner,

Visakhapatnam. … Respondent

Counsel for the Petitioners: Sri P.Sri Raghuram

Counsel for the Respondent: Sri N.Ranga Reddy

SC for MPL CORPN.

Visakhapatnam.

O R D E R :

The case of the petitioners is that they are doing fruit and vegetable business in Sardar Vallabhai Patel Market Vartaka Sangham, vide registration no.131/82, Visakhapatnam and they are the existing lessees of various shops.

It is stated that the petitioners are sought to be evicted from the existing premises of Sardar Vallabhai Patel Market Vartaka Sangham, without any rehabilitation programme and without providing any alternative shops.

On the other hand, the learned standing counsel appearing for the respondent submitted that the council has resolved in its SCR.No.117/2005/06 dated 06-10-2005 to construct temporary sheds at old bus stand, Visakhapatnam, at an estimated cost of Rs.46.00 lakhs and the construction is already completed and ready for occupation by the petitioners and other vendors. Therefore, it is incorrect to say that the respondent is not providing any

alternative shops for vending vegetables and fruits.

It is further stated that the said temporary sheds have been reconstructed at the existing market on permanent basis.

It is further stated that in so far as the allotment of shops in the existing market, a standing committee has been constituted to look into the grievance of the petitioners to examine the modalities to allot the shops.

It is stated that to construct a good market by spending a sum of Rs.6.00 crores and for the modernization of the age old and dilapidated market, the aforesaid steps have been taken so as to enable the petitioners to have better their living standards and to maintain hygienic condition in the premises of the market.

In view of the aforesaid averments made in the counter, I am of the opinion that it is incorrect on the part of the petitioners to say that the respondent-corporation has not provided them alternative accommodation. Now there cannot be any grievance for the petitioners for the aforesaid proposed action.

The writ petition is accordingly closed. No costs.

APRIL 17th, 2006. ----------

l s L. V. ESWARAIAH , J.